

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

GREGORY KENNY LEE, AIS # 184070,                     :  
  
                    Plaintiff,                                             :  
  
vs.                                                                     :     CIVIL ACTION 07-0867-KD-M  
  
WARDEN FOLK, *et al.*,                                             :  
  
                    Defendants.                                             :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is further ORDERED that this action be and is hereby DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(g).

DONE this 1<sup>st</sup> day of April, 2009.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**